

JONES DAY

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March 7, 2022

BY E-MAIL

Berkley Assurance Company
BCP - Claims Department
BCPclaims@BerkleyCP.com

Re: Insurer: Berkley Assurance Company ("Berkley")
Insured Company: SunPower Corporation.
Policy: No. PCAB-5013067-1120 (the "Policy")
Marsh Claim No: 22SANF413029

NOTICE OF CLAIM

Dear Sir or Madam:

SunPower Corporation, on behalf of itself and any other insureds under the above-referenced Policy (collectively, "SunPower"), hereby provides notice under the Policy, and any other applicable insurance policies, of a Professional Claim (the 'claim') arising from the rendering of Professional Services by or on behalf of SunPower.

The claim relates to an event that occurred on January 22, 2022 when solar panels installed at a Target distribution center in Fontana, California became damaged and dislodged in high wind conditions. This event has been previously reported to Berkley. A similar event had occurred at a Target distribution center in Rialto, California on November 25, 2021. At Target's request, SunPower performed emergency work at the two distribution centers to mitigate the risk of further damage to persons or property.

In an email dated February 2, 2022, Target Corporation asserted a claim against SunPower related to these events and seeking replacement of solar arrays at multiple locations to prevent further damage to persons or property. The Target email is attached to this notice. SunPower has begun an investigation, which is ongoing, and will provide additional information in the future.

SunPower tenders this claim to Berkley for coverage under the Policy. Please acknowledge receipt of this Notice of Claim, and provide your coverage position at your earliest

NAI-1527694459v1

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convenience. Should you require additional information to accept this Notice of Claim, please notify us immediately.

SunPower reserves all rights under all applicable policies. We look forward to hearing from you.

Very truly yours,

/s/ Richard DeNatale

Richard DeNatale

Attachment

cc: Walter J. Adams Jr.
Vice President, Assistant Claims Manager
wadams@berkleyalliance.com

From: Marilea.Griggs <Marilea.Griggs@target.com>

Sent: Wednesday, February 2, 2022 2:52 PM

To: Ian Bennett <Ian.Bennett@sunpowercorp.com>; Priya Pandey <Priya.Pandey@sunpowercorp.com>

Subject: [EXT] Wind Damage - Longterm Remediation Strategy

External Email - Use caution when responding, clicking, and/or downloading attachments.

Hey Ian and Priya,

Thank you both for all the work you've done to safely stabilize the Rialto and Fontana Distribution centers against further wind damage. The attention and swift response on these sites is much appreciated. Now that we understand that 55 SunPower arrays utilize the Helix racking system that's failed under the designed wind speeds, we need to come up with a long-term remediation strategy for the sites that use this racking.

We want to feel safe with SunPower systems on our stores and distribution centers and we're looking to SunPower to make it right. Will you commit to replacing all solar arrays that contain Helix racking?

Best,

Marilea Griggs | Lead Program Manager – Solar O&M | Energy and Sustainability | ☉Target | 1000 Nicollet Mall | Minneapolis, MN 55403 | Mailstop TPN-0309 | (612) 304-5673